

CERTIFICATE OF EFS FILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being electronically transmitted to the United States Patent and Trademark Office, Commissioner for Patents, via the EFS pursuant to 37 C.F.R. §1.8 on the below date:

Date: May 5, 2010 Name: Vincent J. Gnoffo, Reg. No. 44,714 Signature: 

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Appln. of: Ioannis Pallikaris et al.

Appln. No.: 10/787,026

Filed: February 25, 2004

For: Device for Separating the  
Epithelium Layer from the  
Surface of the Cornea of an Eye

Attorney Docket No: 10781/26

Examiner: Vi X Nguyen

Art Unit: 3734

Confirmation No. 3908

**NINTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98, and more particularly in accordance with 37 C.F.R. §1.97(b), Applicants hereby cite the following reference:

| FOREIGN PATENT DOCUMENT                                                                                 |            |         |
|---------------------------------------------------------------------------------------------------------|------------|---------|
| DOCUMENT<br>NUMBER<br>Number-kind Code (if<br>known)                                                    | DATE       | COUNTRY |
| JP 2003180726                                                                                           | 07/02/2003 | Japan   |
| OTHER ART – NON PATENT LITERATURE DOCUMENTS                                                             |            |         |
| Copy of Japanese Office Action from corresponding Japanese application no. 2007-525073, April 19, 2010. |            |         |

Applicant is enclosing Form PTO-1449 (one sheet), along with a copy of each listed reference for which a copy is required under 37 CFR §1.98(a)(2). Pursuant to the undersigned attorney's obligation and duties under 37 CFR §§ 1.56 and 1.98(a)(3) and (c), either English language abstracts, partial translations, or full translations are

included for patent documents which are not in English for the express purpose of providing a concise explanation of the references to the Patent and Trademark Office with the opportunity to evaluate the same. Applicant respectfully requests the Examiner's consideration of the above reference(s) and entry thereof into the record of this application.

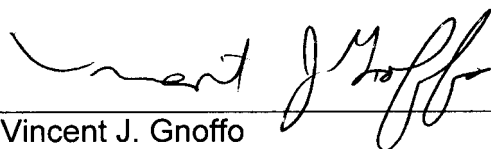
By submitting this Statement, Applicant is attempting to fully comply with the duty of candor and good faith mandated by 37 CFR §1.56. As such, this Statement is not intended to constitute an admission that any of the enclosed references, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 CFR §1.56(a).

The Applicant or Applicants certifies under 37 CFR §1.97(e)(1) that each item of information in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement (a copy of an Office Action from corresponding Japanese application no. JP 2007-525073 dated April 19, 2010 first citing a listed reference is attached for the Examiner's reference). Accordingly, Applicant has calculated no fee to be due in connection with the filing of this Information Disclosure Statement. However, the Director is authorized to charge any fee deficiency associated with the filing of this Information Disclosure Statement to a deposit account, as authorized in the Transmittal accompanying this Information Disclosure Statement.

Respectfully submitted,

May 5, 2010

Date

  
\_\_\_\_\_  
Vincent J. Gnoffo  
(Reg. No. 44,714)